

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 39, State Board for Private Postsecondary Education
Article and its heading: 1, Definitions, Licensure, and Reporting
Section numbers: R4-39-101, R4-39-103, R4-39-104, R4-39-105, R4-39-106, and R4-39-107
2. **Subject matter of the proposed rules:**
Existing rules regarding licensure, Title 4, Chapter 39, Article 1, are being revised to clarify requirements for licensure:
R4-29-101 covers the revision of the definition of a new institution.
R4-39-103 covers the requirements for operating a private accredited vocational and degree granting institution in Arizona.
R4-39-104 covers the conditional licensure requirements for operating a private non-accredited new vocational institution in Arizona.
R4-39-105 covers licensure requirements for continued operation of an existing private non-accredited vocational institution in Arizona.
R4-39-106 covers Conditional Licensure Requirements for operating a new private non-accredited degree granting institution in Arizona.
R4-39-107 covers requirements for provisional licensure of a private non-accredited degree granting institution in Arizona.
The agency docket number, if applicable:
1996-1-PVA
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Dona Marie Markley, Executive Director
Address: State Board of Private Postsecondary Education
1400 West Washington, Room 260
Phoenix, Arizona 85007
Telephone: (602) 542-5709
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
Written and oral comments will be accepted until the date of the oral proceeding (hearing) a date which will be set forth in the Notice of Proposed Rulemaking which it is anticipated will be filed with the Secretary of State for publication within the next 2 months.
6. **A timetable for agency decisions or other action in the proceeding:**
It is anticipated that the Notice of Proposed Rulemaking will be finalized and filed with the Secretary of State for publication within the next 2 months. Following publication, it is expected that the record will be open for written comment for a period of 30 days, after which the oral proceeding (hearing) will be held. Oral comments will be accepted at the oral proceeding (hearing). Within 120 days after the close of comment, the Board will adopt the final rules and submit a final rule package to the Governor's Regulatory Review Council for approval.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 11, Department of Health Services - Health Care Institutions: Rates and Charges
Articles and their headings: 1, General
2, Uniform Accounting System
Section numbers: R9-11-101 through R9-11-109 and R9-11-201 through R9-11-203
2. **Subject matter of the proposed rules:**
All existing rules regarding rate review and uniform accounting, Title 9, Chapter 11, Articles 1 and 2, are being repealed and replaced with current rules which reflect statutory changes in the past 2 years and other industry data collection and recordkeeping changes.
The agency docket number, if applicable:
Not applicable.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Joe Brennan
Address: Department of Health Services
1740 West Adams
Phoenix, Arizona 85007
Telephone: (602) 542-1219
Fax: (602) 542-1244
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
Written comments will be accepted until the close of record, a date which will be set forth in the Notice of Proposed Rulemaking which is anticipated to be filed with the Secretary of State for publication within the next 2 months. At the present time, no oral proceeding is planned.
6. **A timetable for agency decisions or other action in the proceeding:**
It is anticipated that the Notice of Proposed Rulemaking will be finalized and filed with the Secretary of State for publication within the next 2 months. Following publication, it is expected that the record will be open for written comment for a period of 30 days, after which the record will close and the program will prepare a final rule package for the Director to adopt and to go to the Governor's Regulatory Review Council for approval.

NOTICE OF RULEMAKING DOCKET OPENING

RADIATION REGULATORY AGENCY

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 2, Radiation Regulatory Agency, Medical Radiologic Technology Board of Examiners
Articles and their headings: 1, General Provision
2, Certification
3, Schools of Diagnostic and Therapeutic Radiology Technology
4, Schools of Practical Technologist in Radiology
Section numbers: R12-2-101 through R12-2-103, R12-2-201, R12-2-202, R12-2-301, and R12-2-406
2. **Subject matter of the proposed rules:**
The changes presented in this docket opening are the result of a Five-year Review of the rules contained in the above-listed Articles. The review occurred in January of this year.
R12-2-101: The word "regulations" needs to be changed to "rules" through the Chapter. The definitions for "direction" and "ionizing radiation" are inconsistent with A.R.S. § 2801(5) and (6).
R12-2-102: The 2 national technologist certifying bodies have merged. The rule needs to be amended to reflect this change.
R12-2-201: A reference to a statute is incorrect and the application for certification of radiologic technologists is outdated. The form in use is no longer the form listed in this rule.
R12-2-202: With the current wording a technologist, out of work for 3 years, could renew a certification to practice radiologic technology without taking a refresher exam.

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R12-2-301: Name changes are required for the names of radiologic technology schools and the name of the national accrediting body listed in this rule.

R12-2-406: A name change for the school of practical technology listed in this rule is needed at this time. The listed name is no longer current.

The agency docket number:

#0043

3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: John Gray
Address: Radiation Regulatory Agency
4814 South 40th Street
Phoenix, Arizona 85040
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
Written comments will be accepted between 8 a.m. and 5 p.m. Monday through Friday.
Oral comments will be accepted between 8 a.m. and 4:30 p.m. Monday through Friday at the location listed above.
6. **A timetable for agency decisions or other action in the proceeding:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

OFFICE OF TOURISM

1. **Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 3, Office of Tourism
Article and its heading: 1, Joint Ventures
Section numbers: R20-3-101 through R20-3-104
2. **Subject matter of the proposed rules:**
The Office proposes to revise the joint venture rules to be consistent with current structure and format requirements of the Administrative Procedure Act and with Secretary of State guidelines.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Gary Vrabel
Address: Office of Tourism
2702 North 3rd Street, Suite 4015
Phoenix, Arizona 85004-4608
Telephone: (602) 230-7733
Fax: (602) 255-4600
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
Written and oral comments will be accepted between 8 a.m. and 5 p.m. Monday through Friday at the location listed above.
6. **A timetable for agency decisions or other action in the proceeding:**
The Office anticipates that this rulemaking will be on schedule for the March or April 1997 Governor's Regulatory Review Council agenda.